

REMARKS

Claims 1-36 are pending in this application. By this Amendment, claims 1, 2, 5-7, 9-18, 20 and 21 are amended, and claims 23-36 are added.

In particular, claims 1, 2, 9-18, 20 and 21 are amended to remove typographical errors and to better conform to U.S. practice, and claims 5-7 are rewritten in independent form. Claims 1, 2, 9, 10, 16, 17, 20 and 21 are amended to make explicit what is implicitly recited in these claims as originally filed. Applicants respectfully submit that the above-outlined amendments are not made for a substantial reason related to patentability, nor do these amendments in any way narrow the scope of any claim relative to the scope that claim would have been accorded without the amendments.

Applicants gratefully acknowledge the indication in the Office Action that claims 5-7 contain allowable subject matter.

Reconsideration of the application is respectfully requested.

Applicants thank Examiners Trammell and Worjloh for the courtesy extended to Applicants' representative, Mr. Luo, during the December 3, 2003 personal interview. The substance of the interview is incorporated in the following remarks.

Applicants respectfully request acknowledgement of the certified copy of the priority document (JP 2000-024519) submitted November 6, 2000.

The Office Action rejects claims 1, 9, 16 and 20 under 35 U.S.C. §101, asserting that the claimed invention is directed to nonstatutory subject matter, and that these claims are directed to a process that does nothing more than manipulating an abstract idea. This rejection is respectfully traversed.

Applicants respectfully submit that claims 1, 9, 16, and 20 each recites a method that is a statutory subject matter. See 35 U.S.C. §100 and §101. In particular, claim 1 recites outputting booking certificate, claim 9 recites outputting a request for booking certificate,

claim 16 recites outputting booking certificate intermediation licensed certificate, and claim 20 recites using stored verification information. These recited features are all concrete, tangible and useful. Thus, claims 1, 9, 16 and 20 each recites concrete, tangible and useful features. Therefore, the subject matter recited in claims 1, 9, 16 and 20 is directed to a useful process/method, a statutory subject matter within the scope of 35 U.S.C. §101. Accordingly, withdrawal of the rejection of claims 1, 9, 16 and 20 under 35 U.S.C. §101 is respectfully requested.

The Office Action rejects claims 9 and 10 under 35 U.S.C. §112, second paragraph. This rejection is respectfully traversed.

The Office Action asserts that the first request and the second request recited in claims 9 and 10 are not differentiated and may cause confusion to a reader. Applicants respectfully submit that, as recited in claims 9 and 10, the second request is prepared after the first request is received and/or accepted. Thus, as discussed during the December 3 interview, the second request is clearly differentiated from the first request.

For at least the above reasons, withdrawal of the rejection of claims 9 and 10 under 35 U.S.C. §112, second paragraph is respectfully requested.

The Office Action rejects claims 1, 2, 8-11 and 20-22 under 35 U.S.C. §103(a) over U.S. Patent 6,309,277 to Vaeth et al. This rejection is respectfully traversed.

The Office Action admits that Vaeth does not disclose or suggest a booking certificate. However, the Office Action asserts that it can be assumed that certificate of Vaeth may include a certificate of advance purchases, i.e., booking certificate. Applicants respectfully submit that Vaeth does not disclose or suggest a booking certificate certifying that a supply of a product and/or a service is booked in advance, as recited in claims 1-22.

As discussed during the December 3 personal interview, Vaeth discloses verifying that a purported identity of a requester is indeed the identity of the requester. See col. 3, lines 14-

46, col. 6, lines 11-25 and col. 8, lines 6-13. Vaeth discloses certifying the identity of a requester, but does not disclose or suggest certifying a supply of a product and/or a service that is booked in advance for the requester. Therefore, Vaeth does not disclose or suggest the subject matter recited in claims 1-22.

The Office Action asserts that it can be assumed that the certificate of Vaeth may include a certificate of advanced purchase, ie, booking certificate. Applicants respectfully submit that such an assumption is improper. Examiner is required to identify specifically where teaching is found to establish *prima facie* case of anticipation, so that Applicants can recognize and seek to counter the grounds for rejection. See Chester v. Miller, 16 USPQ2d 1333, 1337 (Federal Circuit 1990).

In addition, as discussed above, Vaeth merely discloses verifying the identity of a requester. Nowhere does Vaeth disclose or suggest a booking certificate that certifies the supply of a product and/or a service that is booked in advanced for a requester. Thus, there is no basis for the assumption that the certificate of Vaeth includes a booking certificate.

Withdraw of the rejection of claims 1, 2, 8-11 and 20-22 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action rejects claims 3, 4 and 12-18 under 35 U.S.C. §103(a) over Vaeth in view of U.S. Patent No. 6,189,146 to Misra et al. This rejection is respectfully traversed.

The Office Action admits that Vaeth does not disclose or suggest the features recited in claims 3, 4 and 12-18. However, the Office Action asserts that Misra discloses these features. Applicants respectfully submit that Vaeth and Misra, either individually or in combination, do not disclose or suggest a booking certificate for certifying that a supply of a product and/or a service that is booked in advance, as recited in claims 1-22.

Misra discloses issuing computer software licenses as digital certificates that can be distributed in one-to-one correlation with individual client computers and traced to an issuing

authority. See col. 2, lines 16-21. Misra does not disclose or suggest a booking certificate for certifying that a supply of a product and/or a service that is booked in advance, as recited in claims 1-22. Therefore, Misra does not supply the subject matter lacking in Vaeth. Thus, Vaeth and Misra, either individually or in combination, do not disclose or suggest the subject matter recited in claims 1-22. Accordingly, withdrawal of the rejection of claims 3, 4 and 12-18 under 35 U.S.C. §103(a) is respectfully requested.

The Office Action objects to claims 5-7. Claims 5-7 are rewritten into independent form. Withdrawal of the objection of claims 5-7 is respectfully requested.

The Office Action does not object to or reject claim 19. Thus, claim 19 is assumed to be allowed.

New claims 23-29 and 34-36 are each patentable at least in view of the patentability of claims 2, 10, 17 and 21, from which they respectfully depend, as well as for the additional features they recite.

New claims 30-33 are patentable for the similar reasons discussed above in connection with claims 1, 9, 16 and 20.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-36 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



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Attachment:
Amendment Transmittal

Date: December 12, 2003

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